

- 10. 2006SP-112G-12**
Carter Property SP (Re-Referral)
Map 181-00, Part of Parcel 052
Subarea 12 (2004)
Council District 31 - Parker Toler

A request to change from AR2a to SP zoning, property located at 6419 Pettus Road, at the end of Autumn Crossing Way (28.99 acres), to permit 69 single-family lots and 64 multi-family units (replacing 61 single-family and 45 multi-family), requested by Centex Homes, applicant, for William Robert Carter and James Phillip Carter, owners.

STAFF RECOMMENDATION: Approve with conditions

APPLICANT REQUEST - A request to change 28.99 acres from Agricultural/residential (AR2a) to Specific Plan (SP) zoning to permit 69 single-family homes and 64 multi-family units, property located at 6419 Pettus Road, at the end of Autumn Crossing Way.

This item was re-referred to the Planning Commission for the consideration of additional lots. The Commission approved 61 single-family homes and 45 multi-family units on July 13, 2006.

Existing Zoning

AR2a district - Agricultural/residential requires a minimum lot size of 2 acres and intended for uses that generally occur in rural areas, including single-family, two-family, and mobile homes at a density of one dwelling unit per 2 acres.

Proposed Zoning

SP district - Specific Plan is a zoning district category that provides for additional flexibility of design, including the relationship of buildings to streets, to provide the ability to implement the specific details of the General Plan.

- The SP District is a base zoning district, not an overlay. It will be labeled on zoning maps as “SP.”
- The SP District is not subject to the traditional zoning districts’ development standards. Instead, urban design elements are determined for the specific development and are written into the zone change ordinance, which becomes law.
- Use of SP does not relieve the applicant of responsibility for the regulations/guidelines in historic or redevelopment districts. The more stringent regulations or guidelines control.
- Use of SP does not relieve the applicant of responsibility for Subdivision Regulation and/or stormwater regulations.

SOUTHEAST COMMUNITY PLAN

Residential Low Medium (RLM) - RLM policy is intended to accommodate residential development within a density range of two to four dwelling units per acre. The predominant development type is single-family homes, although some townhomes and other forms of attached housing may be appropriate.

Residential Medium (RM) - RM policy is intended to accommodate residential development within a density range of four to nine dwelling units per acre. A variety of housing types are appropriate. The most common types include compact, single-family detached units, town-homes, and walk-up apartments.

Policy Conflict - No. The proposed SP district is consistent with the area’s RLM and RM policies. The proposed development is also consistent with the surrounding development pattern.

Plan Details - The plan proposes 61 single-family lots from an existing stub street in the adjacent Autumn Oaks subdivision (Autumn Crossing Way). Forty-five multi-family units are proposed off of an existing

driveway approved in the Hills of Concord Place development. There are four phases proposed with this development.

Although an SP, the plan is consistent with the cluster lot provisions of the Zoning Code for the single-family portion. These lots are consistent with the RS15 zoning district and are clustered down two base zoning districts. The lots range in size from 7,700 square feet to 16,300 square feet. There is 26.4% open space provided, which exceeds the typical open space requirement of 15%. Useable open space is also provided within the subdivision. The multi-family units section of the plan is proposed at approximately 9 dwelling units per acre.

There were 3 critical lots proposed, however, those lots have been adjusted to remove any 20% or greater slope areas.

Landscape buffer yards are proposed around the perimeter of the site and between the single-family and multi-family units. The existing trees will be used for the landscape buffer yard requirement.

Design Standards - Staff recommends that several design standards be included as conditions to help this new development blend with the existing development in the area:

1. Minimum raised foundation of 1.5 ft.
2. Building walls shall be finished in brick, stone, fiber cement siding, shingles, stucco or vinyl siding. Vinyl siding may not be used on the front façade of any building.

Building elevations are included within the plan.

Infrastructure Deficiency Area - This property is located within an infrastructure deficiency area for transportation established by the Planning Commission in the Southeast Community Plan. Therefore, staff recommends approval with the condition that the infrastructure deficiency area requirements be applied at this stage. Metro Public Works is to make the determination of the location of the improvements prior to final SP approval.

This property is located within the RLM policy and would require 13 linear feet per acre of roadway improvements. There is also RM policy, which would require 27 linear feet per acre of roadway improvements. There is approximately 24.30 acres within RLM policy and approximately 4.69 acres in RM policy. A total of 443 linear feet of roadway improvements is required.

RECENT REZONINGS -The Mill Creek Towne Center (formerly Legg Development) PUD/zone change (parcels to the south) to RM9 and SCC were approved by Metro Council in July 2004. The Commission approved the PUD/zone change in May 2004.

FIRE MARSHAL RECOMMENDATION -Fire Hydrants shall be in-service and tested before any combustible material is brought on site.

STORMWATER RECOMMENDATION - Approve.

PUBLIC WORKS RECOMMENDATION

Following are review comments for the submitted Carter Property Specific Plan (2006SP-112G-12), received November 30, 2006. Public Works' comments are as follows:

The developer's construction drawings shall comply with the design regulations established by the Department of Public Works. Final design may vary based on field conditions.

Public Works' design standards, including cross-sections, geometry, and off-site improvements, shall be met prior to approval of roadway or site construction plans. Final design and improvements may vary based on field conditions.

Within residential developments all utilities are to be underground. The utility providing the service is to approve the design and construction. The developer is to coordinate the location of all underground utilities. Conduit for street lighting is required in the GSD.

Private streets to be constructed to Public Works standards. If sidewalks are required, construct 4' grass strip between sidewalk and curb.

All roadways to accommodate SU-30 design vehicle turning movements.

Typical Uses in Existing Zoning District: AR2a

Land Use (ITE Code)	Acres	Density	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-family and two family (210)	28.99	1.85	54	590	48	62

Typical Uses in Proposed Zoning District: SP

Land Use (ITE Code)	Acres	Density	Total Number of Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Res. Condo/ Townhome (230)	4.69	9	45	326	28	32

Typical Uses in Proposed Zoning District: SP

Land Use (ITE Code)	Acres	Density	Total Number of Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-family and two family (210)	24.3	2.47	61	660	53	69

Change in Traffic Between Typical Uses in Existing and Proposed Zoning District

Land Use (ITE Code)	Acres	--		Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--			+48	396	33	39

CONDITIONS

1. The application, including attached materials, plans and reports submitted by the applicant and all adopted conditions of approval shall constitute the plans and regulations as required for the Specific Plan rezoning until a Final Plan is filed per the requirement listed below. Except as otherwise noted herein, the application, supplemental information and conditions of approval shall be used by the planning department and department of codes administration to determine compliance, both in the review of final site plans and issuance of permits for construction and field inspection. Deviation from these plans will require review by the Planning Commission and approval by the Metropolitan Council.
2. All stormwater management requirements and conditions of the Department of Water Services shall be approved prior to approval of the final site plan. Prior to the issuance of any permits, confirmation of compliance with the final approval of this proposal shall be forwarded to the Planning Department by the Stormwater Management division of Water Services.
3. A total of 443 linear feet of roadway improvements is required for the infrastructure deficiency policy, as the location is determined by Metro Public Works prior to final SP approval.
4. All buildings shall have a minimum raised foundation of 1.5 ft. from the top of curb measured at the mid point of the lot.

5. Building walls shall be finished in brick, stone, fiber cement siding, shingles, stucco or vinyl siding. Vinyl siding may not be used on the front façade of any building.
6. Public Works' design standards, including cross-sections, geometry, and off-site improvements, shall be met prior to approval of roadway or site construction plans. Final design and improvements may vary based on field conditions.
7. Within residential developments all utilities are to be underground. The utility providing the service is to approve the design and construction. The developer is to coordinate the location of all underground utilities. Conduit for street lighting is required in the GSD.
8. Within 120 days of Planning Commission approval of this preliminary SP plan, and in any event prior to any additional development applications for this property, including submission of a final SP site plan, the applicant shall provide the Planning Department with a final corrected copy of the preliminary SP plan for filing and recording with the Davidson County Register of Deeds. Failure to submit a final corrected copy of the preliminary SP plan within 120 days will void the Commission's approval and require resubmission of the plan to the Planning Commission.
9. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Commission or Council approval, the property shall be subject to the standards, regulations and requirements of the RS10 zoning district for the single family portion and RM9 district for the multi-family portion, which must be shown on the plan.
10. Prior to the issuance of any permits, confirmation of preliminary approval of this proposal shall be forwarded to the Planning Commission by the Traffic Engineering Sections of the Metropolitan Department of Public Works for all improvements within public rights of way.
11. This approval does not include any signs. Business accessory or development signs in commercial or industrial planned unit developments must be approved by the Metropolitan Department of Codes Administration except in specific instances when the Metropolitan Council directs the Metropolitan Planning Commission to approve such signs.
12. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits. If any cul-de-sac is required to be larger than the dimensions specified by the Metropolitan Subdivision Regulations, such cul-de-sac must include a landscaped median in the middle of the turn-around, including trees. The required turnaround may be up to 100 feet diameter.
13. This preliminary plan approval for the residential portion of the master plans is based upon the stated acreage. The actual number of dwelling units to be constructed may be reduced upon approval of a final site development plan if a boundary survey confirms there is less site acreage.
14. Adjustments: Minor adjustments to the site plan may be approved by the planning commission or its designee based upon final architectural, engineering or site design and actual site conditions. All adjustments shall be consistent with the principles and further the objectives of the approved plan. Adjustments shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or intensity, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.

Approved with conditions, (9-0) *Consent Agenda*

Resolution No. RS2006-394

“BE IT RESOLVED by The Metropolitan Planning Commission that 2006SP-112G-12 is **APPROVED WITH CONDITIONS. (9-0)**

Conditions of Approval:

1. The application, including attached materials, plans and reports submitted by the applicant and all adopted conditions of approval shall constitute the plans and regulations as required for the Specific Plan rezoning until a Final Plan is filed per the requirement listed below. Except as otherwise noted herein, the application, supplemental information and conditions of approval shall be used by the planning department and department of codes administration to determine compliance, both in the review of final site plans and issuance of permits for construction and field inspection. Deviation from these plans will require review by the Planning Commission and approval by the Metropolitan Council.
2. All stormwater management requirements and conditions of the Department of Water Services shall be approved prior to approval of the final site plan. Prior to the issuance of any permits, confirmation of compliance with the final approval of this proposal shall be forwarded to the Planning Department by the Stormwater Management division of Water Services.
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7. Within residential developments all utilities are to be underground. The utility providing the service is to approve the design and construction. The developer is to coordinate the location of all underground utilities. Conduit for street lighting is required in the GSD.
8. Within 120 days of Planning Commission approval of this preliminary SP plan, and in any event prior to any additional development applications for this property, including submission of a final SP site plan, the applicant shall provide the Planning Department with a final corrected copy of the preliminary SP plan for filing and recording with the Davidson County Register of Deeds. Failure to submit a final corrected copy of the preliminary SP plan within 120 days will void the Commission’s approval and require resubmission of the plan to the Planning Commission.
9. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Commission or Council approval, the property shall be subject to the standards, regulations and requirements of the RS10 zoning district for the single family portion and RM9 district for the multi-family portion, which must be shown on the plan.
10. Prior to the issuance of any permits, confirmation of preliminary approval of this proposal shall be forwarded to the Planning Commission by the Traffic Engineering Sections of the Metropolitan Department of Public Works for all improvements within public rights of way.
11. This approval does not include any signs. Business accessory or development signs in commercial or industrial planned unit developments must be approved by the Metropolitan Department of Codes Administration except in specific instances when the Metropolitan Council directs the Metropolitan Planning Commission to approve such signs.

12. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits. If any cul-de-sac is required to be larger than the dimensions specified by the Metropolitan Subdivision Regulations, such cul-de-sac must include a landscaped median in the middle of the turn-around, including trees. The required turnaround may be up to 100 feet diameter.
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The proposed SP district is consistent with the Southeast Community area's Residential Low Medium and Residential Medium policies, which are collectively intended to accommodate residential developments with a density between 2 and 9 dwelling units per acre."